

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 04-4098, 04-4099

ROBERT G. WYCKOFF,

Appellant at No. 04-4098

v.

METROPOLITAN LIFE INSURANCE COMPANY;
KENNETH F. KACZMAREK

MAHENDRA M. GAJARAWALA

v.

USHA M. GAJARAWALA, husband and wife;
METROPOLITAN LIFE INSURANCE COMPANY;
DAVID ELMER

Mahendra Gajarawala,
Appellant at No. 04-4099

On Appeal from the United States District Court
for the Western District of Pennsylvania

(D.C. Civil No. 00-cv-2248, and 00-cv-02522)
District Judge: The Honorable Donnetta W. Ambrose

Submitted Under Third Circuit LAR 34.1(a)
October 18, 2005

Before: SMITH, STAPLETON, and NYGAARD, Circuit Judges.

JUDGMENT

These causes came to be considered on the record from the United States District Court for the Western District of Pennsylvania and was submitted pursuant to Third Circuit LAR 34.1(a) on October 18, 2005.

On consideration whereof, it is now here ORDERED AND ADJUDGED by this Court that the orders of the said District Court entered on September 30, 2004, be, and the same is hereby, REVERSED and REMANDED to the District Court for further proceedings consistent with this opinion.

Costs taxed against appellees.

All of the above in accordance with the opinion of this Court.

ATTEST:

Marcia M. Waldron

Clerk

Date: November 17, 2005